

REMARKS

The Final Office Action of January 17, 2007, has been considered by the Applicants. Claim 1 has been amended. Claims 2 and 3 have been cancelled. Claims 1, 6-18, 20-27, 30, and 31 remain pending. Reconsideration of the Application is requested.

Claims 1, 3, 6-9, 14-18, 20, 24, 25, 27, 30, and 31 were rejected under 35 U.S.C. 103(a) as allegedly being obvious over Kawamura et al. (U.S. Patent Publication No. 2002/0025483).

Claims 10-13, 21-23, and 26 were rejected under 35 U.S.C. 103(a) as reportedly being obvious over Kawamura in view of Yuh (U.S. Patent No. 6,261,729).

Claims 1-3, 6-9, 14-18, 20, 24, 25, 27, 30, and 31 were rejected under 35 U.S.C. 103(a) as allegedly being obvious over Kawamura in view of Mori (U.S. Patent No. 5,567,557).

Applicants traverse the rejections.

Claim 1 has been amended to recite a specific antioxidant, the triazinyl-amino phenol, which is not the stearyl propionate taught by Kawamura. Applicants submit that because Kawamura does not disclose the remaining antioxidant, Kawamura alone cannot render the instant claims obvious.

As to the rejection of Kawamura and Yuh, Applicants rely on the arguments against Kawamura alone because the rejected claims all depend from claim 1. If claim 1 is non-obvious, then so are its dependent claims; MPEP § 2143.03, *In re Fine*.

At the bottom of page 4 of the Office Action, the Examiner stated that all traversals were based on the position that Kawamura alone is not sufficient to render the instant claims obvious and that the rejections remained applicable, lacking any further ground of traversal.

As to the rejection based on Kawamura in view of Mori, Applicants also traversed on one additional ground in the previous Amendment that was not addressed by the Examiner. Mori teaches the addition of two antioxidants, an ester phosphite antioxidant and a hindered phenol antioxidant. However, instant claim 1 uses the closed-ended

transitional phrase "consisting of" and allows only one antioxidant. Therefore, all claim limitations are not met. MPEP § 2143.03. In addition, Mori unequivocally requires the presence of both antioxidants. Therefore, Mori teaches away from including only one antioxidant in a charge transport layer. MPEP § 2143.01. Based on these two additional grounds of traversal, the instant claims are not rendered obvious over the combination of Kawamura and Mori.

Applicants request withdrawal of the 103(a) rejections.

Applicants submit that no additional search or examination is required based on the amendment of claim 1. The subject matter of claim 1 has been present as claim 2 throughout the prosecution of this application and ample opportunity has already been provided for such search and examination.

CONCLUSION

Applicants submit the pending claims (1-3, 6-18, 20-27, 30, and 31) are in condition for allowance. Withdrawal of the rejections and issuance of a Notice of Allowance is requested.

In the event the Examiner considers personal contact advantageous to the disposition of this case, he is hereby authorized to call Richard M. Klein, at telephone number 216-861-5582, Cleveland, OH.

It is believed that no fee is due in conjunction with this response. If, however, it is determined that fees are due, authorization is hereby given for deduction of those fees, other than the issue fees, from Deposit Account No. 24-0037.

Respectfully submitted,

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